

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN THOMAS ABRAMS,

Defendant.

3:14-cr-0069-RCJ-WGC

**ORDER**

Defendant John Thomas Abrams<sup>1</sup> was indicted on two counts of kidnapping in violation of 18 U.S.C. § 1201 and one count of transportation of a minor for purposes of illegal sexual activity in violation of 18 U.S.C. § 2423(a). Pending before the Court are the Government's Motions in Limine (ECF Nos. 48, 49) to admit certain evidence of Defendant's prior acts pursuant to Federal Rule of Evidence 413 and 404(b).

**I. SEXUAL ASSAULTS**

The Government wishes to admit evidence of prior charges and allegations of sexual assault made against Defendant, under Federal Rule of Evidence 413 (ECF No. 48). The Court cannot decide this Motion until it views the evidence in context of the trial. The parties have agreed that during the Government's case-in-chief, if necessary, the Court will review the testimonies of the alleged victims and Defendant's witnesses to determine whether evidence of

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<sup>1</sup> Defendant's aliases include "Buck," "David George Garnett," "John McDonald," and "David Blackwell."

1 the prior sexual assaults is relevant and appropriate for the jury's consideration. *See United*  
2 *States v. LeMay*, 260 F.3d 1018, 1023, 1031 (9th Cir. 2001) (approving the district court's  
3 decision to fully evaluate the evidence during the trial before determining whether to admit it).

4 **II. BURGLARIES**

5 The Government wishes to admit evidence of three prior convictions of burglary under  
6 Federal Rule of Evidence 404(b) (ECF No. 49). The Court also cannot decide this Motion until it  
7 views the evidence in context of the trial. The Government wishes to introduce this evidence for  
8 purposes of bolstering its witnesses' credibility. The Court will determine during the trial  
9 whether the evidence is relevant and appropriate for the jury's consideration after taking into  
10 account, for example, whether Defendant challenges the credibility of the Government's  
11 witnesses.

12 **CONCLUSION**

13 IT IS HEREBY ORDERED that the Motions in Limine (ECF Nos. 48, 49) are DENIED.

14 IT IS SO ORDERED.

15 Dated this 3rd day of September, 2015.

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18 ROBERT C. JONES  
19 United States District Judge  
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